

favorably with the recommendation that it do pass and be printed.

ELIZABETH PENNINGTON,
Secretary.

Minutes of Senate Finance Committee, Held April 1, 1935—Stated Meeting.

Present: Redditt, Beck, Burns, Duggan, Hill, Holbrook, Hopkins, Hornsby, Oneal, Poage, Rawlings, Regan, Sanderford, Small, Stone, Van Zandt, Woodruff.

Absent—Excused: Martin, Neal and Sulak.

S. B. No. 34 was reported adversely with favorable committee substitute.

NOEL K. BROWN,
Secretary.

FORTY-SIXTH DAY.

Senate Chamber,
Austin, Texas,
April 3, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Blackert,	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

Fellbaum.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Blackert.

Committee Reports.

(See Appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Bills and Resolutions.

Motion to Suspend Rule.

Senator Rawlings moved to suspend the constitutional rule relating to the time for introduction of bills.

The motion prevailed by the following vote:

Yeas—24.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—2.

Holbrook.	Martin.
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Absent.

Blackert.	Small.
Oneal.	

Absent—Excused.

Fellbaum.

Senate Bill No 480.

By Senator Rawlings.

S. B. No. 480, A bill to be entitled "An Act defining freight forwarders and placing such freight forwarders under the regulation of the Railroad Commission of Texas, declaring that such freight forwarders are common carriers and giving to the Railroad Commission the power to regulate the rates to be charged for such service and to prescribe rules and regulations, making the violations of the provisions of this Act a misdemeanor, and imposing a penalty; providing for the recovery of penalties by the State for the violation of the rules and orders of the Commission and providing for the remedy of in-

junction to enforce the Act, and declaring an emergency."

Read and referred to the Committee on State Highways and Motor Traffic.

Motion to Suspend Rule.

Senator Regan moved to suspend the constitutional rule relating to the time for introduction of bills.

The motion prevailed by the following vote:

Yeas—25.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Hopkins.	Van Zandt.
Hornsby.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent.

Blackert.	Oneal.
Neal.	Small.

Absent—Excused.

Fellbaum.

Senate Bill No. 481.

By Senator Regan:

S. B. No. 481, A bill to be entitled "An Act amending Section 14, Acts 1927, 40th Legislature, First Called Session, page 116, Chapter 41, as amended by Acts 1929, 41st Legislature, First Called Session, page 7, Chapter 4, Section 3, by adding thereto a new subsection (26) and declaring an emergency."

Read and referred to the Committee on Public Health.

Motion to Suspend Rule.

Senator Beck moved to suspend the constitutional rule relating to the time for introduction of bills.

The motion prevailed by the following vote:

Yeas—27.

Beck.	Cotten.
Blackert.	Davis.
Collie.	DeBerry.

Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Martin.
Moore.
Neal.
Oneal.
Pace.
Poage.

Rawlings.
Redditt.
Regan.
Sanderford.
Shivers.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Absent.

Burns.

Small.

Absent—Excused.

Fellbaum.

Senate Bill No. 482.

By Senators Duggan and Beck:

S. B. No. 482, A bill to be entitled "An Act making a certain emergency appropriation out of the General Revenue of the State of Texas to rebuild the barn at the Texas Experimental Station No. 8, located near Lubbock, Texas, to purchase harness and feed, also burned, and declaring an emergency."

Read and referred to the Committee on Finance.

Motion to Suspend Rule.

Senator Cotten moved to suspend the constitutional rule relating to the time for introduction of bills.

The motion prevailed by the following vote:

Yeas—26.

Beck.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent.

Blackert.
Burns.

Small.

Absent—Excused.

Fellbaum.

Senate Bill No. 483.

By Senator Cotten:

S. B. No. 483, A bill to be entitled "An Act requiring the Insurance Commission of Texas to make the reports of examinations of insurance companies, or institutions selling insurance in this State, a public record subject to public inspection; repealing all laws, or parts of laws in conflict herewith and declaring an emergency."

Read and referred to the Committee on Insurance.

Senate Resolution No. 66.

Senator Westerfeld sent up the following resolution:

Whereas, The first edition of "Ray's Advance Session Laws," containing all general laws so far enacted by this Regular Session of the Legislature is now printed and ready for distribution, and four more books are to be issued and distributed before and immediately after adjournment containing the remainder of the laws of this session, in advance of the official publication of such laws, and

Whereas, It has been the custom of the Senate to subscribe for forty copies of these laws for the members and officers of the Senate, in order that it may facilitate the work of answering correspondence, etc., and that each member may have at hand the information in regard to laws passed at this session that he is called upon to furnish, to the earliest date possible, and

Whereas, Hon. Worth S. Ray, publisher of said "Ray's Session Laws" proposes to furnish said 40 copies of each book published at only \$1.00 per copy, now therefore be it

Resolved by the Senate, That the Senate subscribe for said 40 copies of "Ray's Session Laws" at \$1.00 per copy, to be paid for out of the contingent funds of the Senate, as and when books are delivered.

WESTERFELD.

Read.

Senator Westerfeld moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. R. No. 66 be taken up and considered at this time.

S. R. No. 66 was adopted by viva voce vote.

H. J. R. No. 5.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. Reed, et al.:

H. J. R. No. 5, A joint resolution "Proposing an amendment to Section 1a of Article VIII of the Constitution of the State of Texas, exempting three thousand dollars (\$3,000.00) of the assessed taxable value of all residence homesteads as now defined by law, from all State, county, city, town, district, and other political subdivision purposes, etc."

(With committee substitute.)

The committee substitute was adopted by viva voce vote.

Senator Moore sent up the following amendment:

Amend the committee amendment by striking out the following words:

"The Legislature may by General Laws make reasonable classifications of all property other than real property for the purpose of taxation, and may impose different rates thereon; provided that the taxation of all property in any class shall be equal and uniform."

MOORE.

Read.

Senator Rawlings sent up the following substitute for the Moore amendment:

Amend committee substitute H. J. R. No. 5 by striking out Section 1.

RAWLINGS,
STONE,
SANDERFORD.

Read.

Senator Moore withdrew his amendment.

Senator Rawlings had the floor on his amendment.

Personal Privilege.

Senator Oneal spoke on the point of personal privilege.

The amendment to the substitute was adopted by the following vote:

Yeas—15.

Collie.
Davis.
Holbrook.

Hornsby.
Martin.
Moore.

Neal.	Shivers.
Rawlings.	Small.
Redditt.	Stone.
Regan.	Woodruff.
Sanderford.	

Nays—11.

Blackert.	Pace.
Burns.	Poage.
Cotten.	Sulak.
DeBerry.	Van Zandt.
Hill.	Westerfeld.
Oneal.	

Present—Not Voting.

Beck.

Absent.

Duggan.	Hopkins.
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Absent—Excused.

Fellbaum.

Senator Rawlings sent up the following substitute:

Amend H. J. R. No. 5 by striking out all above the resolving clause and inserting in lieu thereof the following:

H. J. R. No. 5, A joint resolution "Proposing an amendment to Section 1-a of Article VIII of the Constitution of the State of Texas, exempting Three Thousand (\$3,000.00) Dollars of the assessed taxable value of all residence homesteads as now defined by law from all State, county, city, town, district and other political subdivision purposes; providing that the exemption shall not apply to that part of the State taxes within counties, districts or other political subdivisions of the State which have heretofore been remitted, released or diverted by the State until the expiration of such period of remission; and providing that nothing herein shall apply to taxes necessary within the limitation of the taxing power otherwise provided in this Constitution to pay interest and to create sinking funds to satisfy any indebtedness heretofore legally made and undertaken by counties, cities, towns, districts and other political subdivisions of the State until such indebtedness is fully satisfied."

RAWLINGS.

Read.

Amend H. J. R. No. 5 by striking out all below the resolving clause

and inserting in lieu thereof the following:

Section 1. That Section 1-a of Article VIII of the Constitution of the State of Texas, be amended so as to hereafter read as follows:

"Sec. 1-a. Three Thousand (\$3,000.00) Dollars of the assessed taxable value of all residence homesteads, as now defined by law shall be exempt from all taxation for all State, county, city, town, district and other political subdivision purposes; provided that nothing herein shall apply to that part of the State taxes within these counties, districts or other political subdivisions which have been remitted, released or diverted by the State but upon the expiration of such period of remission, this section shall become applicable within such counties, districts and political subdivisions; provided also that nothing herein shall apply to taxes necessary within the limitation of the taxing power otherwise provided in this Constitution to pay interest and to create sinking funds to satisfy any indebtedness heretofore legally made and undertaken by counties, cities, towns, districts and other political subdivisions of the State until such indebtedness is fully satisfied."

Sec. 2. Said proposed constitutional amendment shall be submitted to a vote by the qualified electors of this State on the first Tuesday after the first Monday in November 1936 at which election all voters favoring said proposed amendment shall write or have printed on their ballots the words:

"For the amendment to the Constitution of the State of Texas exempting Three Thousand (\$3,000.00) Dollars of the assessed taxable value of all residence homesteads from all State, county, city, town, district and other political subdivision taxes, except taxes necessary to pay interest and to create sinking funds to satisfy any indebtedness heretofore legally made and undertaken by counties, cities, towns, districts and other political subdivisions of the State until such indebtedness is fully satisfied."

Those voters opposing said proposed amendment shall write or have printed on their ballots the words: "Against the amendment to the

Constitution of the State of Texas exempting Three Thousand (\$3,000.00) Dollars of the assessed taxable value of all residence homesteads from all State, county, city, town, district and other political subdivision taxes, except taxes necessary to pay interest and to create sinking funds to satisfy any indebtedness heretofore legally made and undertaken by counties, cities, towns, districts and other political subdivisions of the State until such indebtedness is fully satisfied."

If it appears from the returns of said election that a majority of the voters are in favor of said amendment, the same shall become a part of the State Constitution.

Sec. 3. The Governor of the State is hereby directed to issue the necessary proclamation for said election and have same published as provided by the Constitution and laws of this State.

Sec. 4. The sum of Five Thousand (\$5,000.00) Dollars or so much thereof as may be necessary, is hereby appropriated out of any funds of the Treasury of the State of Texas, not otherwise appropriated to pay the expenses of such publication and election.

RAWLINGS.

Read and pending.

Message From the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Offices,
Austin, Texas, April 3, 1935.
To the Forty-fourth Legislature:

I submit for your consideration as emergency legislation the subject matter of three bills relating to banks and banking, which the Federal Deposit Insurance Corporation has requested be passed for the purpose of enabling State banks to take full advantage of benefits offered under Federal acts by Federal agencies.

One of these bills authorizes the Federal Deposit Insurance Corporation to be appointed receiver of closed State banks; it provides that the Federal Deposit Insurance Corporation shall be subrogated to the rights of depositors to whom it makes payments; makes available to the Federal Deposit Insurance Corporation reports made by State

banking examiners and authorizes the statutory receiver or the Banking Commissioner to borrow money where the same is necessary to conserve the assets of closed banks in the process of liquidation.

The legislation proposed by said bill, therefore, is for the protection of the Federal Deposit Insurance Corporation, and is in my judgment protection to which it is justly entitled under State law.

The second bill authorizes State banks to issue capital notes and debentures, subject to the approval of the Banking Commissioner, and redefines the term "capital" as used in State statutes relating to solvency as including such capital notes and debentures outstanding; and among other provisions of the Act provision is made for payment of capital notes and debentures so issued.

The third act exempts banks from furnishing security for public deposits to the extent that the same are insured by the Federal Deposit Insurance Corporation. Relating to deposits of political subdivisions a similar provision is contained in S. B. No. 361, but said S. B. No. 361 is not applicable to State deposits.

These three measures are to be introduced in the Senate by Senator Regan and in the House by Hon. Robert Calvert; and I respectfully request your early consideration of their provisions.

Respectfully submitted.

JAMES V. ALLRED.
Governor of Texas.

Read.

Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, April 3, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 67, Instructing the Enrolling Clerk of the House to amend the emergency clause of H. B. No. 547.

H. C. R. No. 68, Instructing the Enrolling Clerk of the House to

amend the caption of H. B. No. 692 to conform to the body of the bill.

The House has concurred in Senate amendments to H. B. No. 475 by a vote of 139 yeas, 0 nays.

The House has concurred in Senate amendments to H. B. No. 692 by a vote of 125 yeas, 0 nays.

The House has concurred in Senate amendments to H. B. No. 423 by a vote of 138 yeas, 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 751, A bill to be entitled "An Act reappropriating the unexpended balance of the appropriation made for contingent expenses of the Third Called Session of the Forty-third Legislature for the purpose of paying contingent expenses of the Fourth Called Session of the Forty-third Legislature and supplementing the appropriation made for that purpose, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bill Referred.

H. B. No. 751 referred to the Committee on Finance.

H. C. R. No. 67.

The Chair laid before the Senate H. C. R. No. 67, "Instructing the Enrolling Clerk of the House to amend the emergency clause of H. B. No. 547."

Senator Van Zandt moved that the constitutional rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 67 be taken up and considered at this time.

H. C. R. No. 67 was adopted by viva voce vote.

H. C. R. No. 68.

The Chair laid before the Senate H. C. R. No. 68, "Instructing the Enrolling Clerk of the House to amend the caption of H. B. No. 692 to conform to the body of the bill."

Senator Van Zandt moved that the

constitutional rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 68 be taken up and considered at this time.

H. C. R. No. 68 was adopted by viva voce vote.

Bills Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 475.

H. B. No. 423.

H. J. R. No. 5.

Senator Shivers sent up the following:

Amend Substitute H. J. R. No. 5 by striking out in Section 1a all between the words "subdivision purposes;" and "provided also" and adding in lieu thereof the following:

"Excepting, until the expiration of such remission period or need of such remission, that portion of the State ad valorem taxes remitted within certain counties and political subdivisions now receiving a remission of such taxes."

SHIVERS.

Read and pending.

Recess.

On motion of Senator Hill, the Senate at 12 o'clock noon recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m. in pursuant to recess and was called to order by Senator Rawlings, presiding.

At Ease.

Senator Regan asked unanimous consent that the Senate stand at ease for ten minutes to allow the Committee on Banks and Banking to finish a hearing on important bills. Granted.

Called to Order.

The Senate was called to order by Lieutenant Governor Walter F. Woodul.

H. J. R. No. 5.

The question recurred on the adoption of the pending amendment by Senator Shivers.

Senator Shivers withdrew his amendment.

Senator Cotten sent up the following amendment:

Amend committee substitute for H. J. R. No. 5 by adding the following at the end of Section 1:

"Provided, however, that no homestead property shall be exempt from taxation for local school purposes."

COTTEN.

Read.

The amendment was adopted by following vote:

Yeas—15.

Beck.	Moore.
Blackert.	Neal.
Burns.	Pace.
Cotten.	Sanderford.
Davis.	Shivers.
Hill.	Small.
Holbrook.	Sulak.
Martin.	

Nays—12.

Collie.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hornsby.	Stone.
Oneal.	Van Zandt.
Poage.	Westerfeld.

Absent.

Hopkins.	Woodruff.
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Absent—Excused.

Fellbaum.

Senator Shivers sent up the following amendment to substitute for H. J. R. No. 5:

Amend Section 1a by striking out all between the words "subdivision purposes" and the words "provided also" and substitute in lieu thereof the following:

Provided that this exemption shall not be applicable to that portion of the State ad valorem taxes levied for State purposes remitted within those counties or other political subdivisions now receiving any remission of State taxes, until the expiration of such period of remission, unless before the expiration of such period the Board or Governing Body of any one or more of such counties or political subdivision shall have certified to the State Comptroller that the need for such remission of taxes has ceased to exist in such county

or political subdivision; then this section shall become applicable to each county or political subdivision as and when it shall become within the provisions hereof.

SHIVERS.

Read and adopted.

Senator Westerfeld sent up the following amendment:

Amend committee substitute for H. J. R. No. 5 by striking out all of Section 1a after the word "divisions" in line 12 and amend by striking out all reference to the exception in lines 30, 31, 32 and 33; and also the exception in lines 43, 44, 45, 46 and 47; and amend the caption to conform.

WESTERFELD.

Read.

Senator Westerfeld moved the adoption of the amendment.

The motion to table prevailed by viva voce vote.

The substitute amendment by Senator Rawlings, as amended, was adopted by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—1.

Van Zandt.

Absent—Excused.

Fellbaum.

Senator Poage was recognized for a privileged matter.

House Bill No. 763.

Senator Poage sent up the conference report to H. B. No. 763.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

and
Hon. Coke R. Stevenson, Speaker of
the House of Representatives.
Be it enacted by the Legislature of
the State of Texas:

Gentlemen:

We, your Conference Committee,
appointed to adjust the differences
between the two Houses on H. B.
No. 763, have had same under con-
sideration, and recommend that said
bill pass in the form attached hereto,
and that our said report be adopted.

H. B. No. 763.

A BILL

To Be Entitled

An Act providing for relief for cer-
tain school districts of Texas, in
order to aid said districts, and
rebuilding their properties, and
equipping their schools, which
were recently destroyed by fire;
providing for work relief; making
an appropriation to each of said
districts for said properties; and
declaring an emergency.

Section 1. That, by reason of the
complete destruction by fire of the
schools in the school districts speci-
fied, and on the dates indicated, in
the schedule shown in Section 2 of
this act and by reason of drouth con-
ditions existing in each of said areas
for previous years, and flood condi-
tions in certain years, resulting in
the decrease of property values, and
the inability of the taxpayers to pay
their taxes, and resulting in great
public calamity to each of said dis-
tricts, there are hereby appropriated
to the several school districts named
in Section 2 hereof, the respective
amounts indicated therein, to be used
by each of said districts for the pur-
pose of constructing, repairing and
rehabilitating and/or equipping the
school building of each of said dis-
tricts, said appropriations to be out
of the General Funds, and out of the
funds not otherwise appropriated.

Sec. 2. The names of the school
districts affected by this Act, the
counties in which they are located,
the dates of the fires which destroyed
the schools and the amounts appro-
priated hereby for each district are
as follows:

Name of District	County	Date of Fire	Amount of Appropriation
Hooks Independent School District	Bowie	February 11, 1935	\$ 6,500.00
Axtell County Line Rural High School District	McLennan	December 5, 1934	6,500.00
Martinsville Common School District No. 16	Nacogdoches	October 1, 1934	4,500.00
DeKalb Independent School District	Bowie	December 4, 1934	4,500.00
Silas Common School District	Bowie	July, 1934	2,000.00
Carthage Independent School District	Shelby	September, 1934	2,500.00
Vivian Common School District No. 9	Panola	March 28, 1935	3,200.00
Moss Hill Common School District No. 24	Foard	October 17, 1934	2,500.00
TOTAL	Liberty		\$32,200.00

Sec. 3. The appropriations herein
made are upon the condition that the
school authorities of DeKalb Inde-
pendent School District, Bowie
County, shall first raise the sum of
Two Thousand, Five Hundred (\$2,-
500.00) Dollars and the school au-

thorities of each of the other dis-
tricts named in Section 2 hereof,
shall first raise an amount equivalent
to the amount appropriated herein
for their respective Districts.

Sec. 4. It is further provided that
the Texas Relief Commission author-

ize and empower the local Relief Boards of the Counties in which the school districts named herein are located to furnish all necessary labor in rebuilding the said school buildings in each of said school districts.

Sec. 5. It is further provided that the money cannot be paid out except on warrants of the Comptroller on sworn accounts by the trustees of each of said school districts and as same is needed in the construction and equipping of said school buildings in each of said school districts.

Sec. 6. The fact that said school property of each of said districts was destroyed by fire thereby depriving the citizens thereof of school facilities, and by reason of the economic conditions of each of the districts rendering the people unable to restore said property and equipment to its former state by reason of the Constitutional limitations on the rate of taxes that may be imposed, and by reason of the fact that it will be a great calamity to each of said districts to be deprived of public free schools create an emergency and an imperative necessity that the Constitutional Rule requiring bills to be read on three separate days be suspended, and such Rule is hereby suspended and this Act shall take effect from and after its passage and it is so enacted.

Respectfully submitted,

BECK,
MOFFETT,
ALSUP,

On part of the House.

POAGE,
BECK,
HILL,
BLACKERT,
ONEAL,

On part of the Senate.

Point of Order.

Senator Van Zandt raised the point of order that the conference report was out of order as it was making an appropriation out of the general revenue fund, without the authority of a preexisting law and which is contrary to Article 3, Section 44 of the Texas Constitution.

The Chair overruled the point of order.

Adoption of Conference Report.

The Conference Report on H. B. No. 763 was read and adopted by the following vote:

Yeas—24.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Stone.
Martin.	Sulak.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—5.

Collie.	Small.
DeBerry.	Van Zandt.
Hornsby.	

Absent—Excused.

Fellbaum.

H. J. R. No. 5.

The resolution was read the second time as substituted and amended and passed to third reading by the following vote:

Yeas—15.

Collie.	Pace.
Cotten.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hill.	Sulak.
Hornsby.	Westerfeld.
Moore.	Woodruff.
Oneal.	

Nays—14.

Beck.	Neal.
Blackert.	Regan.
Burns.	Sanderford.
Davis.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Martin.	Van Zandt.

Absent—Excused.

Fellbaum.

Reason for Vote.

Reasons of Senator Duggan for voting for H. J. R. No. 5:

I am voting for this resolution because only about 30 % of the people in Texas own real estate and therefore pay all of the ad valorem taxes.

The remaining 70 % of the people pay no direct taxes whatever except a poll tax or an automobile license fee, and yet they enjoy all of the benefits of the government such as schools, roads, fire protection etc.

This is unfair to the home owners. Should this resolution be voted by the people the Governor will have to call a Special Session of the Legislature to enact laws to raise the taxes lost.

This can be done only by spreading the tax base requiring every person to contribute his share of the cost of government, according to "benefits received" and "ability to pay."

DUGGAN.

H. C. R. No. 31.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. Clayton:

H. C. R. No. 31, Granting D. R. Pinnev, of Hudspeth County, permission to bring suit against the State of Texas and the State Highway Commission for injuries to certain real property.

H. C. R. No. 31, was adopted by viva voce vote.

H. C. R. No. 50.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. Knetsch:

H. C. R. No. 50, Authorizing the appointment of a committee of five members from the House and three members from the Senate to make a study of the cotton export situation.

Senator Redditt sent up the following substitute for H. C. R. No. 50:

Strike out all of H. C. R. No. 50, and substitute in lieu thereof the following:

Whereas, The entire cotton crop of the United States is produced in thirteen Southern States; and,

Whereas, The State of Texas and particularly the farmers of the State of Texas are vitally interested in the production and sale of cotton and cotton products; and,

Whereas, The general prosperity depends to a great extent on the

prosperity of the farmers of the State; and,

Whereas, Texas produces practically one-third of the cotton produced in the United States, ninety per cent of which production is exported to foreign countries; and,

Whereas, The maintenance of a foreign market affording a fair price for the cotton produced in this State is of vital concern to all of the people of Texas; and,

Whereas, Statistics show that from August 1, 1934 to March 1, 1935 the American cotton exports were two million, three hundred twenty-one thousand (2,321,000) bales less than for the same period of time the year previous; and,

Whereas, Statistics show that American gin manufacturing companies, during the year of 1934, sold to foreign cotton growing countries more than five and one-half times as much gin machinery as in any previous year; and,

Whereas, The gravity of the cotton export situation is alarming to cotton growing States and the producers of cotton in said States; and,

Whereas, A study of the entire agricultural situation in Texas should be made at this time; and be it therefore

Resolved by the Senate of Texas the House of Representatives of the State of Texas concurring, That the Lieutenant Governor of Texas appoint five members of the Senate to serve with a committee of five members appointed by the Speaker of the House of Representatives, in a study of the cotton growing and cotton marketing situation, affecting not only the State of Texas but the entire Southern States, with the view of making recommendations to the Legislature of Texas, and to the members of Congress from Texas, of any suggested plans and proposals that will remedy the existing conditions; and also to study and make recommendations as to the feasibility of forming a cotton compact with all other cotton producing States in order that not only the State of Texas but the entire South may be well represented and considered in legislation passed by the Congress of the United States affecting the production of cotton; and also for said committee appointed to study the feasibility of requesting the Leg-

islatures of all cotton producing States to name similar committees to meet with the committee appointed herein in order to formulate similar plans for State legislation as well as National legislation affecting the production and sale of cotton; now therefore, be it further

Resolved, That said committee shall have power and authority to employ and compensate all necessary employees, and it shall be the duty of said committee to make and keep a record of its investigation.

That said committee shall begin and complete its investigation and study at the earliest practicable moment and shall submit a report in writing as soon as possible and not later than the Regular Session of the Forty-fifth Legislature to the Forty-fifth Legislature within thirty days after the convening thereof in regular session. The compensation and expenses herein provided for incident to such investigation and study shall be paid out of the appropriation for mileage and per diem and contingent expenses of the Forty-fourth Legislature, upon sworn account of persons entitled to such pay when approved by the chairman of said committee, and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said Forty-fourth Legislature to meet the payment of expenses of the members of said committee and all necessary employees and other expenses incident to said investigation.

**REDDITT,
PACE.**

The committee substitute was adopted.

H. C. R. No. 50 was adopted as substituted by viva voce vote.

H. C. R. No. 66.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. Jones:

K. C. R. No. 66, Setting the date for the sine die adjournment of the Regular Session of the Forty-fourth Legislature for Tuesday, May 7, 1935, at 12 o'clock noon.

Senator Van Zandt had the floor and yielded to Senator Small for a privileged motion.

Motion for Previous Question.

Senator Small moved that the previous question be ordered on H. C. R. No. 66.

The motion was seconded.

The previous question was ordered by the following vote:

Yeas—17.

Davis.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Sulak.
Neal.	Westerfeld.
Pace.	Woodruff.
Rawlings.	

Nays—9.

Beck.	DeBerry.
Blackert.	Hill.
Burns.	Oneal.
Collie.	Poage.
Cotten.	

Present—Not Voting.

Van Zandt.

Absent.

Moore. Shivers.

Absent—Excused.

Fellbaum.

Senator Van Zandt had the floor and yielded to Senator Duggan for a privileged motion.

Motion to Reconsider.

Senator Duggan moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider prevailed by the following vote:

Yeas—17.

Beck.	Hill.
Blackert.	Moore.
Burns.	Neal.
Collie.	Oneal.
Cotten.	Poage.
Davis.	Van Zandt.
DeBerry.	Westerfeld.
Duggan.	Woodruff.

Nays—12.

Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Shivers.
Pace.	Small.
Rawlings.	Sulak.

Absent—Excused.

Fellbaum.

Motion to Postpone.

Senator Van Zandt moved that further consideration of this resolution be postponed until 10 o'clock a. m., Wednesday May 1, 1935.

Motion to Table.

Senator Holbrook moved to table the motion by Senator Van Zandt.

Point of Order.

Senator Hornsby raised the point of order that a motion to table was pending and was not debatable.
Sustained.

The motion to table lost by the following vote:

Yeas—13.

Davis.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Martin.	Small.
Pace.	Sulak.
Rawlings.	

Nays—15.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Poage.
Collie.	Stone.
Cotten.	Van Zandt.
DeBerry.	Westerfeld.
Duggan.	Woodruff.
Hill.	

Absent.

Moore.

Absent—Excused.

Fellbaum.

Motion to Lay on the Table Subject to Call.

Senator Holbrook moved as a substitute that the resolution be laid on the table subject to call.

Motion to Table.

Senator Van Zandt moved to table the motion.

The motion to table lost by the following vote:

Yeas—13.

Beck.	Moore.
Blackert.	Oneal.
Collie.	Poage.
Cotten.	Van Zandt.
DeBerry.	Westerfeld.
Duggan.	Woodruff.
Hill.	

Nays—16.

Burns.	Rawlings.
Davis.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Martin.	Small.
Neal.	Stone.
Pace.	Sulak.

Absent—Excused.

Fellbaum.

Senator Poage had the floor.

Senator Poage yielded to Senator Regan for privileged matters.

Motion pending to lay H. C. R. No. 66 on the table subject to call.

Senate Bill No. 484.

Senator Regan sent up the following bills submitted by the Governor:

By Senator Regan:

S. B. No. 484, A bill to be entitled "An Act to exempt banking institutions from furnishing security for any deposits to the extent such deposits are insured under Section 12B of the Federal Reserve Act, as amended; and declaring an emergency."

Read and referred to the Committee on Banks and Banking.

Senate Bill No. 485.

By Senator Regan:

S. B. No. 485, A bill to be entitled "An Act authorizing banking institutions to issue and sell capital notes or debentures; subordinating same to other claims; defining the term "capital" as used in the Banking Laws relating to solvency of state banks to embrace the amount of capital

notes and debentures outstanding; providing that the capital stock of a banking institution shall be deemed unimpaired when the amount of said capital notes or debentures as represented by cash or sound assets exceeds any impairment as found by the State Banking Commissioner; requiring any existing deficiency in capital to be paid in cash before retiring said capital notes or debentures and providing for assessment to meet deficiencies in the redemption fund for capital notes and debentures; exempting them from any obligations of such institutions and from any assessments to restore impairment of their capital; and declaring an emergency."

Read and referred to the Committee on Banks and Banking.

Senate Bill No. 486.

By Senator Regan:

S. B. No. 486, A bill to be entitled "An Act to authorize any bank, trust company, bank and trust company, banking association, stock savings bank or mutual savings bank now or hereafter organized under the laws of this State, or the conservator, receiver or liquidator thereof, with the consent and approval of the Banking Commissioner, to enter into such contracts, incur such obligations and generally to do such acts as may be appropriate or necessary to take advantage of any and all memberships, loans, subscriptions, contracts, grants, rights or privileges, which may, at any time be available or inure to said banking institutions or their depositors or stockholders, or their conservators, liquidators, or receivers, by virtue of any act or resolution of the Congress of United States to aid, regulate or safeguard banking institutions and depositors, including the Act creating the Federal Deposit Insurance Corporation; and declaring an emergency."

Read and referred to the Committee on Banks and Banking.

Senator Poage yielded to Senator Pace to make a privileged motion.

Motion to Adjourn.

Senator Pace at 5:15 o'clock p. m., moved to adjourn until 10 o'clock a. m., Thursday.

Substitute Motion to Adjourn.

Senator DeBerry moved as a substitute that the Senate adjourn until 9 o'clock a. m., Thursday.

Adjournment.

The motion to adjourn until 10 o'clock a. m., prevailed by the following vote:

Yeas—15.

Beck.	Pace.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Martin.	

Nays—11.

Collie.	Poage.
DeBerry.	Sulak.
Hill.	Van Zandt.
Hornsby.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent.

Blackert.	Sanderford.
Moore.	

Absent—Excused.

Fellbaum.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 435 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 361 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 47
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 126
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 143
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 167
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 169
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 178
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 206

carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 248
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 260
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 264
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 274
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 326
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 341
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 358
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 396
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 407
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 455
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 459
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 462
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 242

carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 268
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 388
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 425
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 42
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 198
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 267
carefully examined and compared
and find same correctly engrossed.
DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 48
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 365
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. C. R. No.
18 carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 52
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 207
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 290
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 162

carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 241
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 86
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 10
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 49
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 450
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 475
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 467 carefully examined and compared and find same correctly engrossed.
DAVIS, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 782, A bill to be entitled "An Act providing for the conservation of the oil and gas resources of the State of Texas and for the prevention of the waste thereof; providing means of making effective and enforcing the oil and gas conservation laws of this State and Title 102, Revised Civil Statutes of Texas, 1925, as amended; defining terms; specifically defining and prohibiting waste; providing utilization for manufacture of natural gasoline of gas produced from an oil well within permitted gas-oil ratio shall not be included in the definition of waste; empowering and directing the Railroad Commission of Texas to make and enforce such rules, regulations or orders as may be necessary to conserve such oil and gas resources and prevent their waste; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed because of advance printing heretofore had.

PACE, Chairman.

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

S. B. No. 402, A bill to be entitled "An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a horticultural and agricultural experiment station, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be printed.

DeBERRY, Chairman.

Committee Amendment No. 1.

Amend S. B. No. 402, Section 1, line 5, by striking out the words "and Eastland Counties in the State of Texas" and inserting in lieu thereof, "Eastland, Erath or any other county in the West Cross Timber Section of Texas, as may be selected by the Extension Department of A. & M. College of Texas."

Committee Amendment No. 2.

Amend the caption to conform to the body of the bill.

(Corrected Caption.)

A BILL

To Be Entitled

An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a horticultural and agricultural experiment station at some point within the limits of Brown, Callahan, Comanche, Eastland, Erath or any other county in the West Cross Timber Section of Texas, as may be selected by the Extension Department of A. & M. College of Texas for the purpose of making scientific investigations and experiments in the production of fruits, berries, grapes, nuts, vegetables and farm crops and for the fertilization and conservation of soils in the West Texas Cross Timber Sandy land area and for conducting scientific experiments in poultry raising, dairying and bee culture, authorizing said Board of Directors to acquire a suitable site therefor, and to accept donations of land and money for said purpose, providing that such experiment station shall be under the general supervision of said Board of Directors and providing that unless donations of land within said territory sufficient for experiment station are made for said purposes, said experiment station shall not be established, and declaring an emergency.

Committee Amendment No. 3.

Amend S. B. No. 402 by adding a new section to be known as Section 5 to read as follows:

"The fact that there is not at this time an experiment station within this West Cross Timber belt, and the further fact that the lands within said belt are becoming unproductive

through soil and wind erosion, and the consequent necessity of rehabilitation of such lands creates an emergency and imperative public demand that the rule requiring bills to be read on three several days be suspended, and the same is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Committee Room,
Austin, Texas, April 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 781, A bill to be entitled "An Act making appropriations for the State eleemosynary institutions for the two-year period ending August 31, 1937."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute for said bill do pass and that said committee substitute be not printed, it being the same as the committee substitute for S. B. No. 37, which has already been printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, April 3, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 476, A bill to be entitled "An Act conferring additional powers upon navigation districts, authorizing navigation districts to charge tolls for the use of its waterways by persons using them for commercial purposes, which waterways are not owned or constructed by the United States as a navigation project; providing that such districts may lease its rights-of-way, spoil basins and other lands for oil, gas and mineral development, providing it does not interfere with the use of development of the project for navigation, and providing the procedure therefor; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and and be printed.

PAGE, Chairman.

Minutes of Committee Meetings.

Minutes of Committee on Insurance,
Held April 2, 1935.
Regular Meeting.

Present: Collie, Cotten, DeBerry, Holbrook, Moore, Pace, Poage, Rawlings, Shivers, Sulak, Westerfeld and Woodruff.

A hearing was held on S. B. No. 414, and the bill was pending when the committee recessed subject to call.

ANNA MAY CULLEN,
Secretary.

Minutes of Committee on State
Affairs, Held April 2, 1935.

Regular Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Martin, Moore, Oneal, Rawlings, Redditt, Regan, Shivers, Small, Stone and Sulak.

Absent—Excused: Fellbaum.

H. B. No. 782, was reported favorably by viva voce vote with the recommendation it be not printed.

W. S. REEVES, Secretary.

Minutes of Committee on Civil Jurisprudence, Held April 2, 1935.

Regular Meeting.

Present: Small, Blackert, Collie, Davis, Hill, Hopkins, Hornsby, Moore, Oneal, Rawlings, Redditt, Shivers and Van Zandt.

Absent—Excused: Fellbaum and Westerfeld.

S. B. No. 473, was reported favorably, with committee amendments, by viva voce vote.

S. B. No. 394, was referred to subcommittee of Blackert, Oneal and Davis.

H. B. No. 521, was reported unfavorably, the committee substitute being reported favorably.

HERMAN B. HILL, Jr.,
Secretary.

FORTY-SEVENTH DAY.

Senate Chamber
Austin, Texas,
April 4, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was

called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum. Hopkins.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Blackert.

Committee Reports.

(See Appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Bills and Resolutions.

At Ease.

On motion of Senator Blackert the Senate stood at ease for five minutes to allow the Committee on Finance, to complete the hearing on important bills.

Senate Resolution No. 67.

Senator Moore sent up the following resolution:

A Senate Resolution

Commending the high purpose of Senate Bill No. 2294 by Senator Sheppard, authorizing the erection of a suitable statue of Major General George W. Goethals in the Canal Zone.

Whereas, On March 13, 1935, Senator Morris Sheppard introduced in the Senate of the United States of America a bill known as S. B. No. 2294, authorizing the President of the United States, through such per-

son or persons as he may designate, to select an appropriate site within the Canal Zone and to cause to be erected thereon a suitable statue of heroic size of Major General George W. Goethals in commemoration of his signally distinguished services in connection with the construction and operation of the Panama Canal; now therefore, be it

Resolved by the Senate of the State of Texas, that it hereby commends the high purpose of Senate Bill No. 2294, and directs that copies of this resolution be sent to the President of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives, and to Senator Morris Sheppard.

MOORE.

Senator Moore asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. R. No. 67 be taken up and considered at this time.

Unanimous consent was granted.

S. R. No. 67, was adopted by viva voce vote.

Message from the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Office,

Austin, Texas, April 4, 1935.

To the Members of the Forty-fourth Legislature:

For emergency consideration I submit the following matter:

A bill creating the Texas Gas Conservation Corporation will be introduced in both houses today. The basis for this bill begins with an initial program conceived by certain members of the Legislature early in this administration to conserve natural gas as an invaluable natural resource. Last January, work was begun on a plan designed to find markets for gas that was being blown into the air by wasteful processes of utilization. The idea was conceived of building pipe lines to new markets. Engineers and marketing experts were called into consultation. The problem was discussed with the Federal administration at Washington to determine whether

such program was economically sound and self-liquidating. After mature deliberation by men in whose ability I have confidence, it was decided to be feasible to construct a pipe line from the Texas Panhandle to St. Louis and Detroit, the two largest, untouched natural gas markets in the United States.

After having concluded that this proposition was sound and after it had been discussed with the National administration, construction engineers and marketing experts began to work in earnest on the details of such a possible construction. The distribution companies for artificial gas at St. Louis and Detroit were contacted and an enthusiastic reception was accorded by the City of St. Louis and by the distributing company in Detroit. It has been impossible, of course, to make actual binding contracts with either of these distributing companies due to the absence of a contracting authority in the State. I am, however, assured by representatives of those markets that the market is available and that it is waiting the action of the State of Texas.

Last month an Act creating the Texas Gas Conservation Corporation was submitted to the Legal Department of the Public Works Administration in Washington. That department discussed the proposed measure with those Departments of the Federal Government interested in the conservation of the natural resources of the Nation. Today I am submitting to you an Act that bears the approval of its terms by the Legal Department of the Public Works Administration and by those Federal Departments to which I have referred.

Furthermore, this plan has been discussed in detail and at length with some of the most eminent gas and legal authorities in the United States. Always without exception it has been pronounced fundamentally sound.

Far reaching effects of this proposal are difficult to conceive. It is the estimate of engineers that the project will furnish forty-seven million six hundred thousand (47,600,000) man hours of employment, outside the fabrication of four hundred fifteen thousand (415,000) tons of steel. This means a veritable

army of men now on the unemployment relief rolls will be put into useful and gainful employment. It means that steel mills will again hum with activity and that long deserted villages will spring again into hopeful existence. It means that cities that have struggled along with artificial fuel manufactured at high prices will be the recipient of a natural resource of this state now going to waste, and receive it at a low price that even the poor man can pay, thus not only promoting his financial welfare but his social existence as well. This project makes possible the permanent reemployment of three hundred American families who will operate and maintain the line.

These startling facts represent but a few of the benefits to flow from the project. In the Texas Panhandle, gas that is worth no more than a fraction of a cent, gas that is being blown into the air, will acquire a new important value. The net profit arising from the construction of the line will become a part of the general revenue fund of the State and will be a source of income not from our own people, but from the benefits Texas affords the people of other states.

I submit this bill to you as an emergency. It is believed by its authors to be imperative that the corporation be established by the Legislature in order to be ready to present its formal application to the Public Works Administration when the new relief bill shall be passed by the American Congress. If we should wait, or if this bill should fall in the ranks of dissension, Texas will have passed up its golden opportunity of being the builder of America's greatest project. We will have passed up our opportunity to conserve the natural wealth of the State, at the same time realizing a substantial profit.

I am convinced that the proposal is self-liquidating. My confidence is based not upon idle speculation or hope but upon concrete engineering information.

I cannot conceive of a plan yet proposed by any branch of the American Government, whether State or Federal, that offers the possibilities offered by this proposal. It:

1. Preserves our natural resources;
2. Makes valuable the greatest gas reservoir in the world;
3. Provides useful employment for an army of the unemployed;
4. Provides permanent employment for three hundred families;
5. Stimulates the basic steel industries to a greater extent than has been done since the beginning of the financial depression;
6. Promotes that democratic policy of bettering the social welfare;
7. Offers an opportunity to the State to realize without taxation a substantial financial profit from our natural gas;
8. Finally offers to the State of Texas an opportunity to be the outstanding State in the American Union in endeavoring to carry forward the policy of the American Government in re-establishing a period of economic security.

May I therefore urge this Legislature to cooperate to the fullest extent in the immediate passage of this measure as an emergency.

Respectfully submitted,

JAMES V. ALLRED,

Governor of Texas.

Read.

Senate Resolution No. 68.

Senator Hill sent up the following resolution:

Whereas, There is now pending before the Senate a number of bills affecting the oil industry and its regulation, and

Whereas, There are a number of the members of this body who are not familiar with the scientific methods of producing and regulating the production of oil, now, therefore, be it

Resolved by the Senate, That the Railroad Commission be and is hereby requested to file with the Secretary of the Senate on or before April 8, 1935, answers to the following questions, to-wit:

1. Upon what basis is the total production of the State for a fixed period determined?
2. If the allowable for Texas is determined by a report or recommendation of a Federal agency, and accepted by the Railroad Commis-

sion, upon what authority and what are the reasons for accepting the same?

3. What method is used to determine the so-called market demand?

4. Does market demand take into consideration domestic and foreign demand, or does it merely include local demand upon application or estimates by local buyers or sellers,

5. Has the Railroad Commission found it necessary to deny the sale or purchase of crude oil, or its by-products when said oil or by-products have been legally produced or refined?

6. What method is used to determine the so-called allowable for each field or district?

7. When the method of allocation is determined does the Commission make an equal distribution as to fields, or is there discrimination?

8. When the allowable for the State is determined for a fixed period, and it appears to be greater than for the period last determined, does the Commission raise the allowable for each field or district, according to your answer to question 6 of this inquiry?

9. When the market demand is determined for a fixed period for Texas is it based upon equal production with other states with regard to their potential as compared with ours?

10. What method, if known, is used in determining the allowable of other States?

11. Is Texas, under the rules and regulations as adopted by you, producing and marketing its pro rata share of oil produced in the United States?

12. Does the Commission know whether or not there are any refineries closed down because they are unable to purchase crude oil sufficient to operate their plants?

And be it further Resolved, That upon receipt of the answers to the foregoing questions that they be printed in the Senate Journal for the information and guidance of the Senate.

HILL.

Read.

Senator Hill asked unanimous consent that the Senate Rule requiring resolutions to be referred to a committee be suspended, and that S. R.

No. 68 be taken up and considered at this time.

There was objection.

Senator Hill moved that the Senate Rule requiring resolutions to be referred to a committee be suspended, and that S. R. No. 68 be taken up and considered at this time.

Request for Extension of Time.

Senator Van Zandt asked unanimous consent that Senator Hill's time in discussion of S. R. No. 68 be extended ten minutes.

Granted.

Senator Blackert asked unanimous consent that Senator Westerfeld's time be extended ten minutes.

There was objection.

The motion to suspend the rules lost by the following vote:

Yeas—8.

Blackert.	Pace.
Cotten.	Poage.
DeBerry.	Sulak.
Hill.	Westerfeld.

Nays—19.

Beck.	Rawlings.
Burns.	Redditt.
Collie.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hornsby.	Stone.
Moore.	Van Zandt.
Neal.	Woodruff.
Oneal.	

Absent.

Martin.

Absent—Excused.

Fellbaum. Hopkins.

S. R. No. 68 was referred to the Committee on State Affairs.

Motion to Re-refer.

Senator Hill moved that S. R. No. 68 be re-referred to the Committee on Commerce—Manufactures.

Motion to Table.

Senator Moore moved to table the motion to re-refer.

Point of Order.

Senator Woodruff raised the point of order that the time for consideration of the resolution had expired.

The Chair sustained the point of order.

The motion to table prevailed by the following vote:

Yeas—16.

Collie.	Rawlings.
Davis.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hornsby.	Shivers.
Moore.	Small.
Neal.	Stone.
Oneal.	Woodruff.

Nays—11.

Beck.	Pace.
Blackert.	Poage.
Burns.	Sulak.
Cotten.	Van Zandt.
DeBerry.	Westerfeld.
Hill.	

Absent.

Martin.

Absent—Excused.

Fellbaum. Hopkins.

Senate Bill No. 487.

Senator Small sent up the following bill:

By Senators Small, Westerfeld, Hornsby, Collie, Neal, Pace, Sulak and Blackert:

S. B. No. 487, A bill to be entitled "An Act declaring the policy of the State regarding conservation of natural gas produced in the State; defining certain terms and phrases as used in the Act; creating the Texas Gas Conservation Corporation, a body politic and corporate, as an agency of the State; creating a Board of Directors of the Corporation, providing for their appointment, tenure, qualifications and compensation; providing for removal of any Director; providing for filling vacancies on the Board of Directors; requiring bond of each Director; defining and prescribing the powers and purposes of the Corporation, and defining and prescribing the powers and duties of the Board of Directors thereof; exempting all of the properties of and bonds issued by the Corporation and the income from such bonds from all State, county, municipal and other

taxation whatsoever, under the laws of the State of Texas except transfer and estate taxes; providing that bonds issued under the provisions of this Act shall be securities in which all public officers and bodies of the State, counties and political subdivisions of the State, insurance companies and associations, savings banks and institutions, including savings and loan, and building and loan associations, administrators, guardians, executors, trustees and other fiduciaries may invest funds under their control; providing for approval by the Attorney General of bonds issued hereunder, and for their registration by the Comptroller of Public Accounts; providing that no bonds or other obligations of the Corporation shall constitute or be an obligation or debt against the State; making an appropriation; providing that each clause, sentence, paragraph, provision and part of this Act shall be severable from the remainder, and if any portion be held invalid for any reason, the same shall not impair or invalidate the remainder of this Act; providing that provisions of this Act shall control over inconsistent provisions of any other law, general, special or local, and declaring an emergency."

Read and referred to the Committee on State Affairs.

House Bill No. 782.

Senator Small asked unanimous consent to suspend the regular order of business and take up H. B. No. 782.

There was objection.

Senator Small moved to suspend the regular order of business and take up out of order H. B. No. 782.

The motion prevailed by the following vote:

Yeas—21.

Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hornsby.	Small.
Moore.	Stone.
Neal.	Van Zandt.
Oneal.	Woodruff.
Pace.	

Nays—4.

Cotten.	Hill.
DeBerry.	Westerfeld.

Absent.

Beck.	Sulak.
Martin.	

Absent—Excused.

Fellbaum.	Hopkins.
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House Bill No. 782.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 782, A bill to be entitled "An Act providing for the conservation of the oil and gas resources of the State of Texas and for the prevention of the waste thereof; providing means of making effective and enforcing the oil and gas conservation laws of this State and Title 102, Revised Civil Statutes of Texas, 1925, as amended, defining terms; specifically defining and prohibiting waste; providing utilization for manufacture of natural gasoline of gas produced from an oil well within permitted gas-oil ratio shall not be included in the definition of waste; empowering and directing the Railroad Commission of Texas to make and enforce such rules, regulations or orders as may be necessary to conserve such oil and gas resources and prevent their waste; etc., and declaring an emergency."

Motion to Lay on Table Subject to Call.

Senator Small moved to lay on the table subject to call H. B. No. 782.

The motion prevailed by viva voce vote.

Vote Recorded.

Senator Hill asked to be recorded as voting "nay" on the motion.

Message From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, April 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House

has passed the following resolution:

S. J. R. No. 3, Proposing an amendment to Article XVI of the Constitution of the State of Texas by striking out Section 20a to Section 20e, both inclusive; providing for a local option on the question of the sale of intoxicating liquors for beverage purposes; vesting in the Legislature the power to regulate the manufacture, sale and traffic in intoxicating liquors; providing that intoxicating liquors shall not be manufactured, sold, bartered, or exchanged for beverage purposes in any county or political subdivision wherein the sale of intoxicating liquors had been prohibited by local option elections held under the laws in force at the time of the taking effect of Section 20, Article XVI of the Constitution of the State of Texas, until a majority of the qualified voters of such county or political subdivision shall determine such to be lawful at an election held for that purpose; providing for an election on the question of the adoption or rejection of such amendment and making an appropriation therefor; providing for the proclamation and publication thereof; and prescribing the form of ballot.

(With amendments.)

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills and Resolutions Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

H. B. No. 692.	H. C. R. No. 67
H. B. No. 547.	H. C. R. No. 68
H. B. No. 751.	H. C. R. No. 31
H. B. No. 722.	

House Bill No. 751.

Senator Woodruff received unanimous consent to take up out of regular order H. B. No. 751.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 751, A bill to be entitled "An Act reappropriating the unexpended balance of the appropriation made for contingent expenses of the

Third Called Session of the Forty-third Legislature for the purpose of paying contingent expenses of the Fourth Called Session of the Forty-third Legislature and supplementing the appropriation made for that purpose, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 751 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
DeBerry.	Shivers.
Duggan.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
ONeal.	

Absent—Excused.

Fellbaum.	Martin.
Hopkins.	

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
DeBerry.	Shivers.
Duggan.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
ONeal.	

Absent—Excused.

Fellbaum. Martin.
Hopkins.

H. C. R. No. 66.

Pending business was the substitute motion to lay on the table subject to call H. C. R. No. 66.

The motion lost by the following vote:

Yeas—12.

Davis. Redditt.
Holbrook. Sanderford.
Hopkins. Shivers.
Hornsby. Small.
Pace. Stone.
Rawlings. Sulak.

Nays—15.

Beck. Moore.
Blackert. Neal.
Burns. Oneal.
Collie. Poage.
Cotten. Regan.
DeBerry. Van Zandt.
Duggan. Woodruff.
Hill.

Absent.

Westerfeld.

Absent—Excused.

Fellbaum. Martin.

The question recurred on the motion of Senator Van Zandt.

Motion to Recess.

Senator Pace at 12 o'clock m., moved that the Senate recess until 4 o'clock p. m.

The motion lost by viva voce vote.

H. C. R. No. 66.

Pending business was the motion by Senator Van Zandt.

Substitute Motion.

Senator Pace made a substitute motion to lay H. C. R. No. 66 on the table until April 10.

The motion lost by the following vote:

Yeas—10.

Davis. Redditt.
Holbrook. Sanderford.
Hopkins. Shivers.
Pace. Small.
Rawlings. Stone.

Nays—17.

Beck. Moore.
Blackert. Neal.
Burns. Oneal.
Collie. Poage.
Cotten. Regan.
DeBerry. Sulak.
Duggan. Van Zandt.
Hill. Woodruff.
Hornsby.

Absent.

Westerfeld.

Absent—Excused.

Fellbaum. Martin.

Substitute Motion.

Senator Holbrook moved as a substitute that H. C. R. No. 66 be laid on the table until April 17th.

The substitute motion lost by the following vote:

Yeas—11.

Davis. Regan.
Holbrook. Sanderford.
Hopkins. Shivers.
Pace. Small.
Rawlings. Stone.
Redditt.

Nays—16.

Beck. Hornsby.
Blackert. Moore.
Burns. Neal.
Collie. Oneal.
Cotten. Poage.
DeBerry. Sulak.
Duggan. Van Zandt.
Hill. Woodruff.

Absent.

Westerfeld.

Absent—Excused.

Fellbaum. Martin.

The motion to postpone consideration until May 1st prevailed by the following vote:

Yeas—16.

Beck. Moore.
Blackert. Neal.
Burns. Oneal.
Collie. Poage.
Cotten. Regan.
DeBerry. Sulak.
Duggan. Van Zandt.
Hill. Woodruff.

Nays—11.

Davis.	Redditt.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Pace.	Stone.
Rawlings.	

Absent.

Westerfeld.

Absent—Excused.

Fellbaum. Martin.

Motion to Reconsider.

Senator Woodruff moved to reconsider the vote by which H. C. R. No. 66 was laid on the table until May the 1st.

Motion to Table.

Senator Van Zandt moved to table the motion to reconsider.

The motion to table lost by the following vote:

Yeas—11.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Poage.
Cotten.	Van Zandt.
DeBerry.	Woodruff.
Hill.	

Nays—16.

Collie.	Rawlings.
Davis.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Moore.	Stone.
Pace.	Sulak.

Absent.

Westerfeld.

Absent—Excused.

Fellbaum. Martin.

Senator Woodruff withdrew his motion to reconsider.

Recess.

On motion of Senator Redditt the Senate at 12:10 o'clock p. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 424.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Leonard:

H. B. No. 424, A bill to be entitled "An Act to amend Chapter 98 of the General Laws of the State of Texas as passed by the Regular Session of the Forty-first Legislature, by adding thereto Section 1a, so as to provide for the purchase of a part of the law books for the Courts of Civil Appeals out of the court fees collected by said courts, and declaring an emergency."

(With committee amendments.)

Point of No Quorum.

Senator Rawlings raised a point of "no quorum."

The motion was seconded.

The roll call disclosed "no quorum" present by the following vote:

Present—11.

Cotten.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hornsby.	Regan.
Oneal.	Woodruff.
Pace.	

Absent—17.

Beck.	Neal.
Blackert.	Sanderford.
Burns.	Shivers.
Collie.	Small.
Davis.	Stone.
Hill.	Sulak.
Holbrook.	Van Zandt.
Martin.	Westerfeld.
Moore.	

Absent—Excused.

Fellbaum. Hopkins.

Motion to Recess.

Senator Pace at 2:05 o'clock p. m., moved that the Senate recess until 10:00 o'clock a. m. Friday.

The motion to recess lost by the following vote:

Yeas—5.

Cotten.	Rawlings.
Holbrook.	Redditt.
Pace.	

Nays—11.

Beck.	Oneal.
Blackert.	Poage.
DeBerry.	Regan.
Duggan.	Van Zandt.
Hornsby.	Woodruff.
Neal.	

Absent.

Burns.	Sanderford.
Collie.	Shivers.
Davis.	Small.
Hill.	Stone.
Martin.	Sulak.
Moore.	Westerfeld.

Absent—Excused.

Fellbaum.	Hopkins.
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Motion to Order a Call of the Senate.

Senator DeBerry moved that a Call of the Senate be ordered to procure and maintain a quorum until 5 o'clock.

The motion was seconded.

Substitute Motion.

Senator Woodruff moved as a substitute that the Call of the Senate be made to procure a quorum.

The substitute was not seconded.

Call of Senate Ordered.

The motion to order a Call of the Senate prevailed by viva voce vote.

The Chair requested the Secretary to furnish the names of the absentee Senators to the Sergeant-at-Arms and that he be instructed to lock the doors and allow no one to leave, and that the absent Senators be brought in.

Motion to Recess.

Senator Pace at 2:10 moved that the Senate recess until 8:00 o'clock p. m. tonight.

The motion lost by the following vote:

Yeas—6.

Cotten.	Pace.
Hill.	Redditt.
Moore.	Van Zandt.

Nays—12.

Beck.	Holbrook.
Blackert.	Hornsby.
DeBerry.	Neal.
Duggan.	Oneal.

Poage.
Rawlings.

Regan.
Woodruff.

Absent.

Burns.	Small.
Collie.	Stone.
Davis.	Sulak.
Sanderford.	Westerfeld.
Shivers.	

Absent—Excused.

Fellbaum.	Martin.
Hopkins.	

Motion to Recess.

Senator Rawlings moved that the Senate recess until 9:55 o'clock a. m., Friday.

The motion lost by the following vote:

Yeas—6.

Cotten.	Pace.
Hill.	Rawlings.
Holbrook.	Van Zandt.

Nays—15.

Beck.	Oneal.
Blackert.	Poage.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hornsby.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent.

Burns.	Small.
Collie.	Stone.
Hopkins.	Sulak.
Shivers.	

Absent—Excused.

Fellbaum.	Martin.
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Senate Called to Order.

The Chair called the Senate to order at 2:20 o'clock, a quorum being present.

House Bill No. 424.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendments were adopted.

The bill was read second time as amended and passed to third reading by viva voce vote.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 424 was put on its third reading and final passage by the following vote:

Yeas—22.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Small.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent.

Burns.	Shivers.
Davis.	Stone.
Hopkins.	Sulak.

Absent—Excused.

Fellbaum.	Martin.
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Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Van Zandt.
Hornsby.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent.

Hopkins.	Sulak.
Stone.	

Absent—Excused.

Fellbaum.	Martin.
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House Bill No. 722.

The Chair laid before the Senate on its second reading the following bill:

By Mr. McConnell:
H. B. No. 722, A bill to be entitled
"An Act to fix the maximum rate of

tax to be levied for school purposes in all independent school districts which include within their limits a city or town which, according to the latest Federal census, had a population of not fewer than 7,550 and not more than 7,580, whether organized under General or Special Law, repealing all laws in conflict herewith, both General and Special, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Collie the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 722 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Moore.	Westerfeld.
Neal.	Woodruff.

Present—Not Voting.

Van Zandt.

Absent.

Hopkins.

Absent—Excused.

Fellbaum.	Martin.
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Read third time and finally passed by the following vote:

Yeas—21.

Beck.	Rawlings.
Blackert.	Redditt.
Burns.	Regan.
Collie.	Sanderford.
Cotten.	Shivers.
Davis.	Small.
Duggan.	Stone.
Hill.	Sulak.
Hornsby.	Westerfeld.
Moore.	Woodruff.
Neal.	

Nays—3.

DeBerry. Poage.
Holbrook.

Present—Not Voting.

Oneal. Van Zandt.
Pace.

Absent—Excused.

Fellbaum. Martin.
Hopkins.

Reason for Vote.

Senator Oneal requested that the Journal show that he voted present, because he had a personal interest, being a property holder in that independent school district.

House Bill No. 444.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Celaya:

H. B. No. 444, A bill to be entitled "An Act making an appropriation for emergency malaria control measures by the State Board of Health in Cameron, Hidalgo, and Willacy Counties for a period of seven months, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Neal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 444 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sandérford.
Duggan.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum. Martin.
Hopkins. Shivers.

Point of Order.

Senator Holbrook raised the point of order that the Governor had vetoed several bills of like nature and that the bill was unconstitutional.

The point of order was sustained.

Laid on Table Subject to Call.

Senator Neal received unanimous consent to lay H. B. No. 444 on the table subject to call.

House Bill No. 115.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Roark and Mr. Jones of Wise:

H. B. No. 115, A bill to be entitled "An Act to amend Article 1580, Chapter 5, Title 18, of the Revised Criminal Statutes of Texas, 1925, relating to the hours of labor on public work; repealing Article 5166, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read the second time and laid on the table subject to call.

House Bill No. 329.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Frazer:

H. B. No. 329, A bill to be entitled "An Act to amend Article 4518, Chapter 7, Title 71, of the Revised Civil Statutes of Texas of 1925, and repealing all laws in conflict therewith; prescribing the qualifications of applicants for registration as registered nurses under this law; prescribing the length of time applicants must have attended an accredited school of nursing and graduating therefrom; and defining an accredited school of nursing, as one connected with a general hospital having not less than twenty-five (25) beds with a daily average of not less than fifteen (15) patients annually, etc., and declaring an emergency."

Senator Regan sent up the following amendment:

Amend H. B. No. 329 by changing the requirements wherever they appear in the bill to hereafter read: fifty beds as to beds required and thirty patients as to patients required.

REGAN.

Read.

Motion to Table.

Senator Van Zandt moved to table the amendment.

Senator Regan yielded his time to Senator Holbrook to discuss the amendment.

Senator Van Zandt withdrew his motion to table the amendment.

Motion to Table.

Senator Sanderford moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—21.

Beck.	Pace.
Blackert.	Poage.
Burns.	Sanderford.
Collie.	Shivers.
Cotten.	Small.
Davis.	Stone.
DeBerry.	Sulak.
Hill.	Van Zandt.
Hornsby.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—4.

Duggan.	Moore.
Holbrook.	Regan.

Absent.

Hopkins.	Redditt.
Rawlings.	Martin.

Absent—Excused.

Fellbaum.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Points of Order.

Senator Hornsby raised the point of order that the Senator from Galveston was out of order, in asking several questions instead of the one question he had permission to ask.

The point of order was overruled.

Senator Hornsby raised the point of order that the Senator from Galveston had not been recognized by the Chair to address Senator Beck.

The Chair sustained the point of order.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 329 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Sanderford.
Davis.	Shivers.
DeBerry.	Small.
Duggan.	Stone.
Hill.	Sulak.
Hornsby.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Nays—3.

Holbrook.	Regan.
Moore.	

Absent.

Hopkins.	Martin.
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Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—19.

Beck.	Pace.
Blackert.	Poage.
Burns.	Sanderford.
Collie.	Shivers.
Cotten.	Small.
Davis.	Stone.
DeBerry.	Sulak.
Hill.	Van Zandt.
Hornsby.	Westerfeld.
Neal.	

Nays—5.

Duggan.	Oneal.
Holbrook.	Regan.
Moore.	

Absent.

Hopkins.	Redditt.
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(Pairs Recorded.)

Senator Rawlings (present) who would vote nay, with Senator Fellbaum (absent) who would vote yea.

Senator Woodruff (present) who would vote nay, with Senator Martin (absent) who would vote yea.

House Bill No. 189.

The Chair laid before the Senate on its second reading the following bill:

By Mrs. Hughes:

H. B. No. 189, A bill to be entitled "An Act to regulate the occupation of hairdressers and cosmetologists, to create a State board of examiners for the licensing of persons to carry on and to teach such practice, to insure the better education of such practitioners, etc., and declaring an emergency."

Senator Woodruff sent up the following amendment:

Amend Section 1 of H. B. No. 189 by adding at the end of the section the following: "or shall display publicly a placard showing such person to be unlicensed and/or unregistered."

WOODRUFF.

Read.

Senator Small was recognized to discuss the amendment.

At Ease.

Senator Van Zandt at 4:10 o'clock p. m., moved that the Senate stand at ease for 5 minutes.

The motion prevailed.

Motion to Lay on the Table Subject to Call.

Senator Poage moved to lay S. B. No. 189 on the table subject to call.

The motion prevailed by viva voce vote.

Senate Bill No. 487.

Request for Advanced Printing.

By request of Senator Collie advanced printing was ordered on S. B. No. 487.

House Bill No. 408.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Russell:

H. B. No. 408, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than fifteen thousand nine hundred and seventy-five (15,975) nor more than sixteen thousand and twenty-five (16,025) inhabitants, according to the last preceding United States census, and providing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in said counties shall exceed the sum of four million one hundred thousand dollars (\$4,100,000) for the next preceding year; providing that all laws or parts of laws in conflict with this Act are hereby expressly repealed, and declaring an emergency."

(With committee substitute.)

Senator Davis was recognized to discuss the bill.

Motion to Lay on the Table Subject to Call.

On motion of Senator Davis H. B. No. 408 was laid on the table subject to call.

House Bill No. 782.

Senator Small called from the table H. B. No. 782.

On motion of Senator Small H. B. No. 782 was laid on the table subject to call.

House Bill No. 402.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Daniel:

H. B. No. 402, A bill to be entitled "An Act declaring it unlawful for any person to kill, take or have in his possession for barter or sale after the passage of this Act, for a period of five years, any wild fox or the pelts thereof in the County of Houston, State of Texas, and providing a penalty therefor."

Senator Burns sent up an amendment:

Amend H. B. No. 402 by adding a new section to be numbered 3.

The importance of this legislation and the near end of the session, creates an emergency and an impera-

tive public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended and said rule is hereby suspended and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

BURNS.

Read and adopted.

Senator Van Zandt received unanimous consent to add Grayson County and Cooke County to the bill and amend the caption to conform.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading by viva voce vote.

On motion of Senator Burns the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 402 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum. Martin.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum. Martin.

House Bill No. 444.

Senator Neal called up H. B. No. 444.

Senator Neal sent up the following amendments:

Amendment No. 1.

Amend Section 1 of H. B. No. 444 by striking out the words "in Cameron, Hidalgo and Willacy Counties" at the end of said section.

NEAL.

Read and adopted unanimously.

Amendment No. 2.

Amend Section 3 of H. B. No. 444 by striking out the words "these counties" in the first and second lines thereof and insert in lieu thereof the words "certain areas."

NEAL.

Read and adopted unanimously.

Amendment No. 3.

Amend the caption to conform with the body of the bill.

NEAL.

Read and adopted unanimously.

Laid on table subject to call on motion of Senator Neal.

Motion to Suspend Rule.

Senator Cotten asked unanimous consent to suspend the regular order of business and take up out of order H. B. No. 818.

There was objection.

Senator Cotten moved to suspend the regular order of business and take up out of order H. B. No. 818.

The motion prevailed by the following vote:

Yeas—18.

Beck.	Neal.
Blackert.	Pace.
Collie.	Rawlings.
Cotten.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Moore.	Woodruff.

Nays—4.

DeBerry. Poage.
Oneal. Regan.

Absent.

Burns. Redditt.
Davis. Van Zandt.
Hopkins. Westerfeld.

Absent—Excused.

Fellbaum. Martin.

House Bill No. 818.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Morrison:

H. B. No. 818, A bill to be entitled "An Act declaring it unlawful for any person to kill wild fox or to take or have in his possession for barter or sale the pelts of wild fox after the passage of this Act, for a period of five years in the County of Kaufman, State of Texas; providing a penalty for violation of this Act, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Cotten the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 818 was put on its third reading and final passage by the following vote:

Yeas—23.

Beck. Oneal.
Blackert. Pace.
Burns. Poage.
Collie. Rawlings.
Cotten. Regan.
DeBerry. Sanderford.
Duggan. Shivers.
Hill. Small.
Holbrook. Stone.
Hornsby. Sulak.
Moore. Woodruff.
Neal.

Absent.

Davis. Van Zandt.
Hopkins. Westerfeld.
Redditt.

Absent—Excused.

Fellbaum. Martin.

Read third time and finally passed by the following vote:

Yeas—23.

Beck. Pace.
Blackert. Rawlings.
Collie. Redditt.
Cotten. Regan.
Davis. Sanderford.
DeBerry. Shivers.
Duggan. Small.
Holbrook. Stone.
Hornsby. Sulak.
Moore. Westerfeld.
Neal. Woodruff.
Oneal.

Absent.

Burns. Poage.
Hill. Van Zandt.
Hopkins.

Absent—Excused.

Fellbaum. Martin.

House Bill No. 444.

The Chair recognized Senator Neal to call up H. B. No. 444.

Senator Shivers sent up the following amendment:

Amend H. B. No. 444, Section 2, line 31, by substituting the words four thousand fifty dollars (\$4,050.00) for two thousand seven hundred (\$2,700.00) and amend line 35 by substituting word three (3) for word two (2) and \$3,150.00 for \$2,100.00, and amend line 36 by substituting \$900.00 for \$600.00 and amend line 38 by substituting \$4,050.00 for \$2,700.00.

SHIVERS.

Read and adopted unanimously.

H. B. No. 444 as amended was finally passed by the following vote:

Yeas—20.

Beck. Neal.
Blackert. Oneal.
Burns. Pace.
Collie. Regan.
Cotten. Sanderford.
Davis. Shivers.
Duggan. Small.
Holbrook. Stone.
Hornsby. Westerfeld.
Moore. Woodruff.

Nays—3.

DeBerry. Sulak.
Hill.

Absent.

Hopkins. Redditt.
Poage. Van Zandt.
Rawlings.

Absent—Excused.

Fellbaum. Martin.

Message from the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. B. No. 385 by a vote of 112 yeas and 0 nays.

The House has passed the following bills:

S. B. No. 294, A bill to be entitled "An Act (to be known as Article 2777c of the Revised Civil Statutes of 1925) providing for the election of school trustees in independent school districts created by Special Act having within their boundaries a city with a population of not less than 160,000 nor more than 220,000 according to the last preceding Federal census; fixing the terms of office of such school trustees at six years; extending the present terms of office of certain of such school trustees; providing for the filling of vacancies, and the manner of holding elections; repealing all laws and parts of laws (general or special) in conflict with this Act; and declaring an emergency."

S. B. No. 260, A bill to be entitled "An Act providing that the District Attorney of the Seventh Judicial District shall receive the same per diem for not to exceed sixty days in excess of the maximum number of days provided by the Acts of the Regular Session of the Forty-third Legislature, as he receives now under the provisions of said Acts; providing for additional allowance for ex-

penses of said district attorney; making an appropriation and declaring an emergency."

S. B. No. 450, A bill to be entitled "An Act to amend Subdivision 70, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, amended by Acts 1927, Fortieth Legislature, Regular Session, page 134, Chapter 87, Section 1, amended by Acts 1929, Forty-first Legislature, Regular Session, Page 50, Chapter 19, Section 1, Amended by Acts 1933, Forty-third Legislature, Regular Session, page 372, Chapter 145, Section 2, so as to change the time and terms of holding the terms of District Court in Midland, Ector, Martin, Glasscock and Howard Counties, constituting the Seventieth Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of Court in said counties and district, as herein fixed; to validate the summoning of grand and petit juries under the present law so as to render them available in said counties under this Act; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 324, A bill to be entitled "An Act prohibiting any person from catching, retaining or having in his possession any channel catfish or blue catfish which are less than eleven inches in length or to catch or retain or have in his possession in any one day a total aggregate of more than twenty of such fish taken from any of the waters described in Section 1 of Chapter 37 of the Acts of the Thirty-ninth Legislature; and providing a maximum number of hooks that may be used on any trot line and the minimum distance of said hooks from each other on said line; and providing the minimum distance from each other that any trot lines may be set and the number of trot lines that any party composed of any two or more persons may set or use at the same time in the waters described in said Section 1 of Chapter 37 of the Acts of the Thirty-ninth Legislature; and defining what is meant by the word 'party' as used in this Act, and declaring an emergency."

S. B. No. 459, A bill to be entitled "An Act to amend Subdivision 64 of Article 199 of Title 8 of the Revised Civil Statutes of the State of Texas, 1925, to change and prescribe the terms and time of holding District Courts of the Sixty-fourth Judicial District of the State, composed of Hale, Lamb, Swisher, Castro, and Bailey Counties, giving additional time to Lamb County, and to conform all writs and process from such courts to such changes and to make all writs and process issued or served before this Act takes effect, including recognizances and bonds returnable to the term of court in several counties in said district as herein fixed and to validate the summoning of Grand Juries and Petit Juries and providing for the continuation of court in session in said district when this Act takes effect to the end of its term, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 97, A bill to be entitled "An Act amending Chapter 18, Acts of the Third Called Session of the Forty-second Legislature by adding thereto Section 4-a so as to authorize building and loan associations to make loans under the terms and provisions of Title II of the National Housing Act and to except such loans from the limitations prescribed by said chapter, and declaring an emergency."

S. B. No. 135, A bill to be entitled "An Act amending Chapter 18, Acts of the Forty-third Legislature, Second Called Session, page 54, (Article 3886-B) providing for the maximum compensation of assistant county attorneys and other employees of the county attorney in all counties in the State having a population of one hundred thousand and one (100,001) inhabitants and not more than one hundred and fifty (150,000) inhabitants and containing two cities of fifty thousand (50,000) population or more each according to the last Federal census of 1930; providing for the compensation of assistant county attorneys and other employees of the county attorneys in such counties; repealing all laws and parts of laws in conflict herewith; providing that this Act shall become effective from and after its passage and declaring an emergency."

S. B. No. 361, A bill to be entitled "An Act creating 'Sabine-Neches Conservation District,' a conservation and reclamation district with the powers provided in Section 59 of Article 16 of the Constitution, to conserve, control and utilize the waters of the Sabine and Neches Rivers and their tributaries, including their storm and flood waters, except said district shall have no power of taxation nor right to create any debt payable out of taxation; authorizing one or more districts created under Section 59 of Article 16 of the Constitution to coordinate their plans and to join plans for improvements; defining the boundaries thereof, providing for control through board of directors, their appointment, qualifications and tenure, their organization and powers; authorizing the board of directors to appoint a board of managing directors; and declaring an emergency."

(With amendments.)

S. B. No. 396, A bill to be entitled "An Act amending Chapter 204 of the Acts of the Regular Session, Forty-first Legislature, by adding to said Act another section to be known as Section 6-a, making it unlawful for any person, association or corporation to charge or receive compensation for the placement of a child under fifteen (15) years of age; defining certain exemptions; and providing for the enjoining of such person, association or corporation in a suit brought by the Attorney General, district or county attorney of any county in which said act or acts may occur, and declaring an emergency."

The House has refused to concur in Senate amendments to H. C. R. No. 50 and requests the appointment of the conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Knetsch, Fuchs, Pope, Olsen and Tarwater.

The House has refused to concur in Senate amendments to H. B. No. 11 and requests the appointment of a conference committee to adjust the differences between the two Houses.

The conference committee has been instructed by the House to urge that an amendment to H. B. No. 11 shall read as follows:

"Amend H. B. No. 11, page 1, Section 2, line 29, by inserting the word 'not' after the word 'shall.'"

The following conferees have been appointed on the part of the House:

Stinson, Morse, Hoskins, Hartzog and Dwyer.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 11.

Conference Committee Appointed.

The Chair appointed as conferees on H. B. No. 11, on the part of the Senate, to adjust the differences between the two Houses:

Senators Westerfeld, Oneal, Moore, Rawlings and DeBerry.

Senator Excused.

Senator Martin was excused on account of illness on motion of Senator Blackert.

House Bill No. 782.

Senator Small called up from the table H. B. No. 782.

Senator Small yielded to Senator Woodruff to make a request.

House Bill No. 327.

Request to Set for Special Order.

Senator Woodruff received unanimous consent to set for special order H. B. No. 327, immediately after the final disposition of H. B. No. 782.

House Bill No. 782.

The Chair laid before the Senate H. B. No. 782.

Pending.

Request to Suspend Regular Order.

Senator Oneal received unanimous consent to suspend the regular order of business and take up out of order H. B. No. 251.

House Bill No. 251.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Tennyson:

H. B. No. 251, A bill to be entitled "An Act to amend Section 28, as heretofore amended by Chapter 5, page 6,

of the Special Laws of the Regular Session of the Forty-third Legislature, of Chapter 5, page 14, of the Special Laws of the Regular Session of the Forty-second Legislature, of Chapter 36, page 359, of the Acts of the Thirty-first Legislature, approved March 15, 1909, entitled 'An Act to validate the Wichita Falls Independent School District, in Wichita County, Texas' (and for other purposes), and as heretofore variously amended, by providing that all taxes of said district for the calendar year 1935 and subsequent years shall become due on the first day of October of each year, respectively, and that unless one-half of such taxes are paid on or before the thirty-first day of the month in which such taxes become due, the entire taxes for that year shall become delinquent, and a penalty of ten per centum (10%) on all of said taxes shall accrue thereon, etc., and declaring an emergency."

Senator Oneal explained the bill.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Oneal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 251 was put on its third reading and final passage by the following vote:

Yeas—25.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Shivers.
Duggan.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hornsby.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent.

Hopkins.	Van Zandt.
Sanderford.	

Absent—Excused.

Fellbaum.	Martin.
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Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent.

Hopkins.	Van Zandt.
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Absent—Excused.

Fellbaum.	Martin.
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Motion to Recess.

Senator Rawlings at 5:25 o'clock p. m., moved that the Senate recess until 10 o'clock a. m., Friday.

Senator DeBerry moved that the Senate recess until 9:30 o'clock a. m., Friday.

The motion to recess until 10 a. m., Friday prevailed by the following vote:

Yeas—13.

Beck.	Moore.
Burns.	Oneal.
Cotten.	Rawlings.
Davis.	Regan.
Duggan.	Shivers.
Holbrook.	Stone.
Hopkins.	

Nays—9.

Blackert.	Neal.
Collie.	Pace.
DeBerry.	Westerfeld.
Hill.	Woodruff.
Hornsby.	

Absent.

Martin.	Small.
Poage.	Sulak.
Redditt.	Van Zandt.
Sanderford.	

Absent—Excused.

Fellbaum.

31—Jour.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, April 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Federal Relations, to whom was referred S. C. R. No. 19, A concurrent resolution "Resolving that the Senate of Texas, the House concurring, deplore the bringing of charges against Postmaster General James A. Farley attacking his integrity, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Federal Relations, to who was referred H. C. R. No. 17, a concurrent resolution "Agreeing and consenting for the Federal Government to purchase lands in Texas for National Parks or National Forest Purposes."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Federal Relations, to whom was referred H. C. R. No. 39, A concurrent resolution "Designing March 4th as 'Roosevelt Day'."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Federal Relations, to whom was referred H. B. No. 507, A bill to be entitled "An Act permitting the commissioners' court in counties of more than three hundred thousand (300,000) and less than three hundred and fifty

thousand (350,000) inhabitants, according to the preceding Federal Census, to maintain public rest rooms, and provide for the appointment and the salary of a matron, the furnishing of said rest rooms, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 487, A bill to be entitled "An Act declaring the policy of the State regarding conservation of natural gas produced in the State; defining certain terms and phrases as used in the Act; creating the Texas Gas Conservation Corporation, a body politic and corporate, as an agency of the State; creating a board of directors of the corporation, providing for their appointment tenure, qualifications and compensation; providing for removal of any director; providing for filling vacancies on the board of directors, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 327, A bill to be entitled "An Act appropriating five million dollars (\$5,000,000) per year, or so much thereof as may be necessary for the next biennium, beginning September 1, 1935, and ending August 31, 1937, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, including sufficient funds to match Federal funds appropriated for the purpose of conducting vocational agriculture, home economics, trades and industries, general rehabilitation and rehabilitation for crippled children; attaching condi-

tions, regulations and limitations relative thereto, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with eleven committee amendments and be printed in bill form.

REDDITT, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 105, A bill to be entitled "An Act providing that it shall be the duty of the State Board of Education on or before August 1, 1935, and annually thereafter at the time said board fixes the State per capita apportionment for the public free schools of the State, to set aside from the available school fund not prohibited under the Constitution an amount not to exceed fifteen (15) cents per scholastic per year for the maintenance and support of the administrative division of the State Division and Textbook Division of said department; authorizing the State Board of Education to prepare a budget of all expenses necessary in carrying on the work of the Department of Education as provided in this Act, etc., etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 497, A bill to be entitled "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the State Commission for the Blind's Department for the balance of the fiscal year ending August 31, 1935, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 482, A bill to be entitled "An Act making certain emergency appropriation out of the General Revenue of the State of Texas to rebuild the barn at the Texas Experimental Station No. 8, located near Lubbock, Texas, to purchase harness and feed also burned, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 471, A bill to be entitled "An Act providing for the relief of Eagle Pass Independent School District of Maverick County, Texas, in order to aid the school district in accommodating the large growth of population due to the development of Quemado Valley Irrigation Settlement which covers a portion of the Eagle Pass Independent School District of 1934; making appropriation out of the State Treasury of Seven Thousand Dollars (\$7,000.00) to said district for said purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 185, A bill to be entitled "An Act to amend Section 15, Acts of the Regular Session of the Forty-third Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with

committee amendments and be not printed.

STONE, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 185 by striking out all below the enacting clause and substitute the following:

Section 1. That Section 15 of chapter 247 of the Acts of the Regular Session of the Forty-third Legislature of the State of Texas, be and the same is hereby amended so as to hereafter read:

"Sec. 15. The judge of the Criminal District Court of Bexar County may appoint grand jury bailiffs, not exceeding seven, whose compensation shall be eighteen hundred (\$1,800.00) dollars per annum, each; said compensation to be payable in twelve equal monthly installments. Bailiffs thus appointed are subject to removal at the will of the judge of the Criminal District Court of Bexar County."

Committee Amendment No. 2.

Amend H. B. No. 185 by striking out all above the enacting clause and insert the following:

A BILL

To Be Entitled

An Act to amend Section 15 of Chapter 247 of the Regular Session of the Forty-third Legislature, providing for the appointment of Grand Jury Bailiffs by the Judge of the Criminal District Court of Bexar County, Texas; providing for the salary of said grand jury bailiffs, the method of payment, and the removal of said grand jury bailiffs, and declaring an emergency.

Committee Room,
Austin, Texas, April 3, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 751, A bill to be entitled "An Act reappropriating the unexpended balance of the appropriation made for contingent expenses of the Third Called Session of the Forty-third Legislature for the purpose of paying contingent expenses of the Fourth Called Session of the Forty-third Legislature and supplementing the appropriation made for that

purpose, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, April 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 128, A bill to be entitled "An Act amending Articles 1029 and 1030 of the Code of Criminal Procedure, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STONE, Chairman.

Committee Room,

Austin, Texas, April 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 521, A bill to be entitled "An Act providing the name of the bill; providing the defining of certain words, terms, and phrases; providing that certain transactions shall be exempt from the terms of the Act; providing that it shall not be necessary to negative any of the exemptions provided for in the Act in any complaint, information or indictment and providing upon whom the burden of proof shall rest to prove such exemptions; providing who may sell securities in this State and providing for the registration by persons and companies dealing in securities; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the attached committee substitute pass in lieu thereof and that the committee substitute be printed in bill form and that the original bill be not printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 473, A bill to be entitled "An Act amending Article 6570, Title 113, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments.

SMALL, Chairman.

Committee Amendment No. 1.

Amend S. B. No. 473, in line 13, page 1, of the original bill by adding after the word "court" the words "out of which the process is issued" by striking out the words "issuing such civil process."

Committee Amendment No. 2.

Amend S. B. No. 473, in line 13, page 1, of the original bill by adding after the word "appear" the words "by the affidavit of two reputable citizens."

Committee Room,

Austin, Texas, April 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 593, A bill to be entitled "An Act authorizing the county judge to employ a stenographer or clerk in any county of not less than forty-three thousand (43,000) and not more than forty-three thousand one hundred (43,100) inhabitants, according to the last Federal census report; regulating the salary of said stenographer or clerk, providing for the payment of same; providing for his removal, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, April 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on High-

ways and Motor Traffic, to whom was referred

H. B. No. 584, A bill to be entitled "An Act giving to Mrs. Lillian Hargraves, for herself and as next friend of Orin Hargraves, Edith Hargraves and Ed Harold Hargraves, minors of Beaumont, Jefferson County, Texas, consent of the Legislature to file and prosecute suit against the State of Texas and/or the State Highway Commission in a Court of competent jurisdiction in order to determine what compensation, if any, she and the surviving children of the said Lillian Hargraves and O. K. Hargraves are to receive by reason of the death of the said O. K. Hargraves received while an employee of the State Highway Commission; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, April 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 319, A bill to be entitled "An Act granting to Willis Fountain of New Boston, Bowie County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Bowie County, Texas, for damages sustained to his property by the construction of dams on each side of Highway No. 8 which runs between the towns of New Boston and Corley in Bowie County, diverting the water on the farm of Willis Fountain; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, April 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 423, A bill to be entitled "An Act to prohibit the building or erecting within five hundred (500) feet of the center of any designated public highway, a line to carry or transmit electric power or energy and to prohibit the operating or maintaining of such line built or erected after the effective date of this Act; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment and be printed.

HOPKINS, Chairman.

Committee Amendment.

Amend S. B. No. 423 by striking out Section 1 and inserting in lieu thereof the following:

Section 1. It shall be unlawful for any person, association or corporation to build or erect along any designated State or Federal highway in the State of Texas within five hundred feet (500 ft.) of the central line of the right-of-way of said highway any line for the transmission of electric power or energy carrying, or designed to carry, in excess of thirty-three thousand (33,000) volts; and it shall be unlawful to maintain or operate any such line built or erected after the effective date of this Act; provided, that it shall not be unlawful to build, erect or maintain such line across any such designated public highway for the purpose of carrying the line from one side of the highway to the other, but in such case such crossing shall not be at a less angle than forty-five degree (45°); and provided further that the provisions of this Act shall not be applicable within the incorporated limits of any city or town, or within an area extending two (2) miles from the city limits of such incorporated city or town. Nothing in this Act shall be construed to prevent the repair and maintenance of transmission lines erected and in use before the effective date of this Act.

Minutes of Committee Meetings.

Minutes of Committee on Agriculture
Held April 2, 1935.

Regular Meeting.

Present: DeBerry, Sulak, Poage,
Beck, Duggan, Stone and Neal.

Absent: Small, Van Zandt and Hill.

S. B. No. 402, was reported favorably with committee amendments by viva voce vote.

DICK DeBERRY, Secretary.

Minutes of Committee on Finance,
Held April 2, 1935.

Special Meeting.

H. B. No. 781 was reported unfavorably, with favorable committee substitute.

NOEL, K. BROWN, Secretary.

Minutes of Committee on Mining, Irrigation and Drainage, Held
April 1, 1935.

Called Meeting.

Present: Regan, DeBerry, Hill, Holbrook, Neal, Small, Stone, Van Zandt and Burns.

Absent—excused: Hopkins and Blackert.

S. B. No. 355, was reported favorably with committee amendment by viva voce vote.

S. B. No. 464, was reported favorably with committee amendment by viva voce vote.

ORVALEA WILLBANKS.

Secretary.

Minutes of Committee on Federal Relations, Held April 3, 1935.

Called Meeting.

Present: Westerfeld, Davis, Blackert and Burns.

Absent: Hill.

H. B. No. 507, was reported favorably by viva voce vote.

H. C. R. No. 39, was reported favorably by viva voce vote.

H. C. R. No. 17, was reported favorably by viva voce vote.

S. C. R. No. 19, was reported adversely by viva voce vote.

H. J. R. No. 5, was laid on table subject to call by viva voce vote.

H. C. R. No. 1, was laid on table subject to call by viva voce vote.

EDNA COBB, Secretary.

FORTY-SEVENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 5, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 782.

The Chair placed before the Senate as pending business:

H. B. No. 782, A bill to be entitled "An Act providing for the conservation of the oil and gas resources of the State of Texas and for the prevention of the waste thereof; providing means of making effective and enforcing the oil and gas conservation laws of this State and Title 102, Revised Civil Statutes of Texas, 1925, as amended; defining terms; specifically defining and prohibiting waste; providing utilization for manufacture of natural gasoline of gas produced from an oil well within permitted gas-oil ratio shall not be included in the definition of waste; empowering and directing the Railroad Commission of Texas to make and enforce such rules, regulations or orders as may be necessary to conserve such oil and gas resources and prevent their waste; etc., and declaring an emergency."

Motion to Re-Commit.

Senator Hill moved to re-commit H. B. No. 782 to the Committee on State Affairs for further consideration.

Pending.

The Chair informed Senator Hill that his time had expired.

On motion of Senator Shivers, Senator Hill's time was extended ten minutes.

Senator Burns moved that Senator Hill's time be extended indefinitely.

Senator Moore as a substitute moved that the Senator's time be extended for ten minutes.

The substitute motion prevailed.

The motion to re-commit lost by viva voce vote.

Senator Pace sent up the following amendment:

Amend H. B. No. 782, page 6, of the printed bill by striking out everything beginning with the word, "provided" in line 10 and down to and including the word, "thereof" in line 24 and substituting therefor the following:

"Provided that any such order, rule or regulation promulgated by the Railroad Commission of Texas with reference to the purchase,